

Appl. No. 09/788,459
Amdt. dated August 4, 2004
Reply to Office action of May 4, 2004

nonobviousness by attacking references individually where the rejections are based on combinations of references." Therefore, applicant's arguments will be directed to the combination of the two references, Whang et al of 6,496,817 ("Whang") and Nakase et al. of 6,230,064 ("Nakase) below.

Claim Rejections – 35 U.S.C. §103

The present invention is not obvious in view of the combination of Whang and Nakase, as the combination of these references do not disclose or suggest the claimed features of the present invention.

The Applicant respectfully submits that the present invention according to claims 1-32 is not taught or suggested by Nakase in view of Whang. Further, there is no motivation to combine these references as Whang is directed to a method for creating indexes and a method of matching in databases. (See Whang Col. 3:66-4:8, Col 4:13-18) and Nakase is directed to an analytical process which sorts data to help companies develop marketing or sales strategies. (See Nakase Col. 1:18-36). Neither of these patents deal with creating labels for a graph using a multi-level data structure to refine time labels for graph or generating multi-level time labels from the refined time labels stored in the multi-level data structure. Both Whang and Nakase relate to methods for database processing, not graphical display of time series labels.

Nakase in view of Whang

First, Nakase does not teach or suggest a key element of the invention: processing the multi-level data structure "to refine time labels" or "generate multi-level time labels" from the refined time labels stored in the multi-level data structure. Rather, Nakase uses

the time based data to develop association rules with information related to particular events. Nakase discloses an analytical process which sorts data to help companies develop marketing or sales strategies. (See e.g. Col. 1:18-36) The data associated with items and is organized by predetermined periods of time. (See e.g. Col. 4:64-Col.5:20). Nakase applies an association extraction apparatus/means to the data and thus develops an association rule. (See e.g. Col. 2:14-32) The association rule includes information of particular events. *Id.* Nakase does not teach or suggest processing a multi-level data structure to refine time labels nor does it teach generating multi-level time labels from the refined time labels stored in the multi-level data structure. Thus, Nakase does not teach or suggest the claimed invention, and Whang does not correct the deficiencies of Nakase.

The combination of Whang and Nakases does make obvious the present invention because Whang is missing the same element of the invention that Nakase is missing: processing the multi-level data structure “to refine time labels” or “generate multi-level time labels” from the refined time labels stored in the multi-level data structure. Whang does not have a multidimensional index that is processed to refine time labels nor, does Whang teach generating the multi-level time labels from the refined time labels stored in the multi-level data structure. Therefore, the combination of Whang and Nakase does not make the patent obvious under 103 because, the combination of the two references is still missing a feature element of the invention. Instead, Whang addresses another issue with its disclosure. Whang is a subsequence matching method used to create indexes. Whang improves the index creating method by reducing the calls to a feature extraction function. (Col 4:13-18) In particular element 45, the “multidimensional index” is part of a “database management system 20” (Col. 7:51-54). As Whang states “[t]he input to the

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index building process is a database containing data sequences; the output a multidimensional index, which is will be used in the subsequence matching.” (Col. 8:58-6)(emphasis added). Whang’s multidimensional index is intermediary data that will be used in a subsequent matching process. In sum, Whang, like Nakases does not teach or suggest processing a multi-level data structure to refine time labels nor does it teach generating multi-level time labels from the refined time labels stored in the multi-level data structure.

Neither reference teaches processing a multi-level data structure to refine time labels nor does it teach generating multi-level time labels from the refined time labels stored in the multi-level data structure. Thus, the present invention, according to claims 1-32 is not unpatentable by the combination of Nakase and Whang.

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Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (11545.0001).

Respectfully Submitted,



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